

# The Clean Water Council of New Jersey



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May 27, 2010

The Honorable Robert Martin  
Commissioner  
New Jersey Department of Environmental Protection  
P.O. Box 402  
Trenton, NJ 08625-0402

**RE: PUBLIC HEARING RESULTS:**

- **RECOMMENDATIONS FOR INFRASTRUCTURE FINANCING IMPROVEMENTS**
- **CLIMATE CHANGE & WATER RESOURCE MANAGEMENT**

Dear Commissioner Martin:

On behalf of the New Jersey Clean Water Council (NJCWC) of New Jersey, I am pleased to transmit for your review two documents produced by the NJCWC over the past year. Each relates to outcomes of one or more public hearings held during the past three years.

In accordance with N.J.S.A. 58:25-12, the 17-member Clean Water Council holds annual public hearings on topics relevant to protecting and maintaining the quality of New Jersey's water resources. The 2007 and 2008 hearings focused on risks to clean water posed by inadequate water infrastructure management and financing. The 2009 hearing reviewed the risks to clean water posed by increasing variability of climate and weather events, and investigated how New Jersey might meet the challenge.

The first document is a draft white paper titled "Draft Recommendations for Water Infrastructure Management and Financing," an outgrowth of the 2007 and 2008 hearings which we intend to use as the basis for our 2010 public hearing. The second document is a summary of the 2009 hearing and recommendations garnered from that hearing to improve New Jersey's response to climatic threats to the quality of its water resources. The following background on the provenance of these documents may be helpful.

**WATER INFRASTRUCTURE MANAGEMENT & FINANCING**

Two public hearings were held on aspects of water infrastructure.

- Testimony at the 2007 public hearing identified a compelling need for infrastructure improvements, the existence of a wide disparity between funding capacity and infrastructure needs, and a need for innovative and adaptive management approaches to enable infrastructure improvements.
- The 2008 hearing, focusing specifically on infrastructure financing issues, identified critical shortfalls of the accounting and asset management processes that support infrastructure maintenance and improvements.

The take-home message from these hearing was that New Jersey's current approach to infrastructure asset management and financing is inadequate to maintain and improve the quality of the state's water resources and to provide for sustainable growth and development.

At the request of former Commissioner Mark Mauriello, the NJCWC assembled an ad hoc expert committee specifically to assess the current system of infrastructure financing and oversight. Chaired

by a public member of the NJCWC, the ad hoc committee of experts in the field developed a briefing paper in 2009. Its findings were considered by the NJCWC and developed into a draft document. The NJCWC recently met with a the Executive Director of the NJ Board of Public Utilities (BPU), the Acting Director of the Division of Local Government Services within the NJ Department of Community Affairs (DCA), and management representatives of NJDEP to further refine the enclosed draft recommendations.

The NJCWC proposes to offer these recommendations for public review as the focus of the 2010 hearing scheduled for Tuesday, October 12, 2010. Included among the recommendations is the need for programmatic changes, and coordination among the Board of Public Utilities, the Department of Community Affairs and NJDEP. This is a complicated problem requiring a varied set of improvements, not a one-size-fits-all approach. However, the NJCWC feels strongly that failure to address the problem will hamper New Jersey's ability to achieve progress in environmental protection, social equity and economic health, the three components of a sustainable society. In short, failure to address the shortfalls of the current system will threaten New Jersey's quality of life and its competitive position

#### **CLIMATE IMPACTS ON WATER RESOURCE CONDITIONS & MANAGEMENT**

The 2009 public hearing notice asked these questions:

- *What are the high priority risks to clean water posed by the increasing variability of climate and weather events?*
- *What changes to water management policies are needed to increase flexibility and adaptive management, and how will NJ meet the cost?*

The NJCWC heard or received written testimony from approximately 20 people including agency representatives, scientists, utility managers, environmental advocates, and planners. Overall, the message is that New Jersey should integrate the consideration of the effects of changing climatic conditions into its planning, assessment and regulatory programs. The purpose is to increase program flexibility, avoid foreseeable negative impacts, and maximize programmatic and fiscal efficiency.

Whether due to natural or man made occurrences, New Jersey's weather is showing a pattern of both increased flooding and drought - with both events frequently occurring in the same year. Likewise, sea levels are rising in this coastal state at rate that exceeds other US coastal areas. All of these effects could have implications for water quality. As important decisions regarding the state's infrastructure are being made, these facts need to be recognized and considered.

A summary of the hearing with a general set of recommendations accompanies this transmittal.

We look forward to meeting with you and your staff at 11 a.m. on Tuesday June 8<sup>th</sup> at your office to discuss both of these products, plans for the 2010 public hearing, and how the NJCWC can support your plans to ensure the quality of New Jersey's water resources.

Should you have any questions about the purpose of the meeting or the enclosed documents, please feel free to contact me at 609 883-9500 (ext 202) or via email at [jessica.sanchez@drbc.state.nj.us](mailto:jessica.sanchez@drbc.state.nj.us).

Very truly yours,

  
Jessica Ritter Sanchez  
Chair

c: Clean Water Council Members  
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